



#10

PATENT
Customer No. 22,852
Attorney Docket No. 6530.0008-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Charles R. SLATER) Group Art Unit: 3739
)
Serial No.: 09/484,247) Examiner: M. Peffley
)
Filed: January 18, 2000)
)
For: BIPOLAR ENDOSCOPIC)
SURGICAL SCISSOR BLADES)
AND INSTRUMENT)
INCORPORATING THE SAME)

RECEIVED
DEC 28 2001
TC 3700 MAIL ROOM

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE

In the Patent Office communication dated December 1, 2001, the Examiner provided an Interview Summary confirming the agreement to cancel claim 41. In the December 1, 2001 communication, the Examiner also provided an Office Action in which he noted that Applicant has not applied each claim element to disclosure in the specification. By the chart below, Applicant identifies representative disclosure that supports each claim element. By this chart, Applicant in no way means to limit the support for the claimed subject matter to the identified disclosure. The identified disclosure is representative only, and Applicant reserves the right to identify additional supporting disclosure should the need arise. As Applicant mentioned in the January 18, 2000 Preliminary Amendment in this case, the pending claims copy claims of U.S.

Patent No. 5,860,975. If the Examiner has any questions or comments regarding this

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

case, including this response and the chart below, he is invited to call the undersigned at (202) 408-4140.

<u>Claims</u>	<u>Representative Disclosure in Specification</u>
40. An electrosurgical cutting device comprising an instrument body, first and second cutting blades at least one of which is pivotally mounted on the body to execute a scissor action with respect to the other blade, and electrical supply conductors associated with the body for supplying an electrosurgical voltage to the first and second blades, wherein the first blade is a composite blade comprising a conductive outer electrode, an inner conductive layer and, sandwiched between the outer electrode and the inner layer, an insulating layer, the supply conductors being connected respectively to the outer electrode and to the inner layer.	Figures 1-3a and 7; page 12, line 15 to page 14, line 15; page 16, lines 1-10; page 16, line 20 to page 17, line 8; page 18, lines 9-21; page 20, lines 13-16; page 21, lines 20-24; page 23, line 24 to page 24, line 3
42. A device according to claim 40, wherein one of the supply conductors is coupled to the second blade and is electrically connected to the inner layer of the composite first blade by electrical contact between the second blade and the inner layer.	Figures 1-3a and 7; page 14, lines 4-15; page 18, lines 9-21
43. A device according to claim 42, wherein the second blade has a conductive body which is in electrical contact with the inner layer of the composite first blade, and wherein said one supply conductor is connected to the conductive body so that the conductive body is electrically connected in series between said one supply conductor and the inner layer.	Figures 1-3a and 7; page 14, lines 4-15; page 18, lines 9-21
44. A device according to claim 40, wherein each blade has a cutting edge which is so oriented that the blades can execute a progressive shearing action,	Figures 1-3a and 7; page 16, lines 1-10; page 16, line 20 to page 17, line 8; page 18, lines 9-21; page 2, lines 18-21; page 7, lines 11-13

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

each cutting edge being formed of a metallic material.	
45. A device according to claim 40, wherein the second blade has an entirely metallic body and its cutting edge is formed on the metallic body.	Figure 7; page 18, lines 9-21; page 2, lines 18-21; page 7, lines 11-13
46. A device according to claim 40, wherein both blades are pivotally mounted on the instrument body.	Figures 1-3a and 7; page 12, line 15 to page 13, line 9
47. A device according to claim 40, wherein each blade comprises an elongate member having an outer surface, an inner shearing surface, and a cutting edge running along the blade and defining a boundary between the shearing surface and the outer surface along one side of the shearing surface, wherein the blades are so mounted on the instrument body that their respective cutting edges execute a progressive shearing action as the blades are moved to a closed configuration with the shearing surfaces in a face-to-face relationship, wherein the outer surface of the composite first blade defines a cutting face running along the blade adjacent to its cutting edge, each of the inner conductive layer, the insulating layer and the outer electrode being exposed along the cutting face with the shearing surface being formed, at least adjacent to the cutting edge, on the inner conductive layer.	Figure 7; page 16, lines 1-10; page 16, line 20 to page 17, line 8; page 18, lines 9-21
48. A device according to claim 47, wherein the second blade has a conductive body and also has a cutting face running along the blade adjacent to its cutting edge, the conductive body being exposed at least at the cutting edge and along the cutting face.	Figure 7; page 18, lines 9-21
49. A device according to claim 48, wherein the conductive body of the second blade is exposed over at least a major part of the shearing surface of that blade.	Figure 7; page 18, lines 9-21
50. A device according to claim 47, wherein the outer electrode, the insulating layer and the inner conductive layer of the	Figure 7; page 16, lines 1-10; page 16, line 20 to page 17, line 8

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

composite first blade are each exposed along an electrosurgical cutting surface which forms part of said outer surface of the composite first blade running along that blade adjacent to the shearing surface of that blade.

51. A device according to claim 50, wherein the electrosurgical cutting surface extends along the composite first blade adjacent to the opposite side of the shearing surface of that blade from the cutting edge, and wherein the blades are so shaped and mounted that, in their closed configuration, the cutting edge of the second blade runs along the shearing surface of the composite first blade and is spaced from the composite first blade electrosurgical cutting surface.

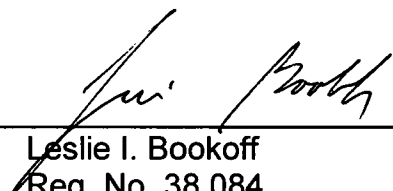
Figure 7; page 16, lines 1-10; page 16, line 20 to page 17, line 8; page 18, lines 9-21

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 26, 2001

By: _____


Leslie I. Bookoff
Reg. No. 38,084

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com